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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application of:

TRACY et al.

Serial No.: 09/297,317

Filed: June 17, 1999

Atty. File No.: 3519-4-PUS

For: "TELECOMMUNICATIONS
INTERFACE AND ASSOCIATED
METHOD FOR COLLECTING AND
TRANSMITTING DATA"

Commissioner of Patents
Washington, D.C. 20231

) Group Art Unit:

) Examiner:

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RESPONSE TO
RESTRICTION REQUIREMENT

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WASHINGTON, D.C. 20231.

TYPED OR PRINTED NAME: Lori R. Arellano

SIGNATURE: *Lori R. Arellano*

Dear Sir:

This Response to Restriction Requirement is submitted in reply to the Examiner's Action mailed February 5, 2002. In this Action, the Examiner imposed a requirement that one of five identified inventions be elected for prosecution. In particular, the Examiner identified the following groups of claims:

Group I (Claims 1-9), drawn to an apparatus and method for sensing data, for converting the data, and for wirelessly transmitting the data in response to a remote command.

Group II (Claims 10-18), drawn to an apparatus and method for monitoring utility usage data with a means for determining utility usage by monitoring reflected radiation from a rotating means.

Group III (Claims 19-30), drawn to a transmitting protocol for a data gathering system.

Group IV (Claims 31-39), drawn to a method of collecting data and transmitting a short message in a control channel.

Group V (Claims 40-48), drawn to a device and method for coupling telecommunications equipment with a digital personal communication system.

The restriction requirement is respectfully traversed, and reconsideration and modification of the restriction requirement, as set forth below, is requested. Nevertheless, Applicant provisionally elects to prosecute Group IV (Claims 31-39) should the restriction requirement be made final.

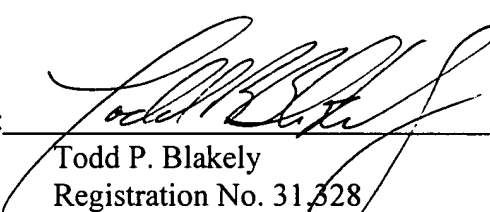
Contrary to the Examiner's position, the claims of Groups III and IV (Claims 19-39) do relate to a single general inventive concept and should be allowed to proceed with examination in a single application. As evidenced by their preambles, the claims of Groups III and IV are all directed to "a method for transmitting a data sequence via a personal communication system transmission protocol" (see, Claims 19 and 31). According to the Examiner, the only difference between Groups III and IV is that the claims of Group IV, in addition to relating to a method for transmitting data via a particular protocol, further include the steps of collecting data and composing a message. Thus, according to the Examiner's own logic, the claims of Group IV, by analogy, are no different than a group of dependent claims off of an independent claim. In other words, the claims of Group IV simply add additional limitations to a method for transmitting data via particular protocol. As a result, the claims of Group III and IV should all be considered a single invention and treated within a single patent application just like dependent claims off of an independent claim.

Therefore, Applicant requests, in view of the foregoing remarks, that the Examiner reconsider and modify the restriction requirement to allow the claims of Groups III and IV to continue forward within this application.

Respectfully submitted,

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March 5, 2002
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